

# **Town Board Minutes**

**Meeting  
No. 27**

***Special Meeting***

**October 2, 1995**

MEETINGS TO DATE 27  
NO. OF REGULARS 18  
NO. OF SPECIALS 9

LANCASTER, NEW YORK  
OCTOBER 2, 1995

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 2nd day of October 1995, at 6:45 P.M. and there were

PRESENT: LUCIAN J. GRECO, SUPERVISOR  
ROBERT H. GIZA, COUNCIL MEMBER  
DONALD E. KWAK, COUNCIL MEMBER  
THOMAS H. VAN NORTWICK, COUNCIL MEMBER  
GEORGE E. O'NEIL, PLANNING BOARD CHAIRMAN  
JOHN P. GOBER, PLANNING BOARD MEMBER  
DONNA G. STEMPIAK, PLANNING BOARD MEMBER  
MELVIN H. SZYMANSKI, PLANNING BOARD MEMBER

ABSENT: PATRICK C. POKORSKI, COUNCIL MEMBER  
REBECCA ANDERSON, PLANNING BOARD MEMBER  
FRANK M. DE CARLO, PLANNING BOARD MEMBER  
MILDRED F. WHITTAKER, PLANNING BOARD MEMBER

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK  
JOSEPH F. REINA, ATTORNEY  
ROBERT L. LANEY, BUILDING INSPECTOR  
ROBERT H. LABENSKI, TOWN ENGINEER

**PURPOSE OF MEETING:**

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of one action.

**IN THE MATTER OF THE SEQR REVIEW OF THE  
BUFFALO TOURNAMENT CLUB**

The Municipal Review Committee then proceeded with the Environmental Assessment on the proposed Buffalo Tournament Club matter with an item for item review and discussion of the project impact and magnitude as outlined on a Full Environmental Assessment Form Part 2 which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
GIZA, TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION  
BUFFALO TOURNAMENT CLUB  
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.11, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.10.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Joseph F. Reina, Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development is of a parcel involving approximately 187.56 acres.

The location of the premises being reviewed is on the north side of Genesee Street, east of Ransom Road.

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will not result in a physical change to the project site.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have a small to moderate affect on surface or ground water quality or quantity.
  - a) It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required.
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will not affect air quality.

8. The proposed action will have a small to moderate affect on threatened or endangered species. Some pesticides, herbicides, and fungicides will be applied more than twice a year.
9. The proposed action will not substantially affect non-threatened or endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. The proposed action will have a small to moderate impact on a site of historic, pre-historic or paleontological importance. Developer must coordinate project with New York State Office of Parks, Recreation and Historic Preservation (OPRHP).
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The proposed action will have a small to moderate impact on existing transportation systems.
15. The proposed action will not affect the community's sources of fuel or energy supply.
16. There will not be objectional odors, noise, or vibration as a result of this proposed action.
17. The proposed action will not affect public health and safety.
18. The proposed action will have a small to moderate affect on the character of the existing community.
19. There is not, or is there likely to be, public controversy related to potential adverse environmental impacts.

s/s

Lucian J. Greco, Supervisor  
Town of Lancaster

October 2, 1995

and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GRECO	VOTED YES
COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED WAS ABSENT
COUNCIL MEMBER VAN NORTWICK	VOTED YES
PLANNING BOARD MEMBER O'NEIL	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED WAS ABSENT
PLANNING BOARD MEMBER DE CARLO	VOTED WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER STEMPIAK	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED WAS ABSENT

The Notice of Determination was thereupon unanimously adopted.  
October 2, 1995

**ADJOURNMENT:**

ON MOTION DULY MADE, SECONDED AND CARRIED, this meeting was  
adjourned at 7:15 P.M.

*Robert P. Thill*

Robert P. Thill, Town Clerk

# **Town Board Minutes**

**Meeting  
No. 28**

***Regular Meeting***

**October 2, 1995**

MEETINGS TO DATE 28  
NO. OF REGULARS 19  
NO. OF SPECIALS 9

LANCASTER, NEW YORK  
OCTOBER 2, 1995

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 2nd day of October 1995 at 8:00 P.M. and there were

**PRESENT:** ROBERT H. GIZA, COUNCIL MEMBER  
DONALD E. KWAK, COUNCIL MEMBER  
PATRICK C. POKORSKI, COUNCIL MEMBER  
THOMAS H. VAN NORTWICK, COUNCIL MEMBER  
LUCIAN J. GRECO, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** ROBERT P. THILL, TOWN CLERK  
ROBERT H. LABENSKI, TOWN ENGINEER  
JOSEPH F. REINA, TOWN ATTORNEY  
ROBERT L. LANEY, BUILDING INSPECTOR  
THOMAS E. FOWLER, CHIEF OF POLICE  
JOHANNA M. COLEMAN, RECEIVER OF TAXES

**OFFICIAL REPORTS:**

The Town Clerk reported that the Supervisor has filed in his office the 1996 Tentative Budget, which is a public record open to inspection, and that copies of this budget have been provided to the Town Board Members for their review.

**PUBLIC HEARING SCHEDULED FOR 8:00 P.M.:**

At 8:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 46 of the Code of said Town regarding Article IX - Maximum Speed Limits - pertaining to Pleasant View Drive and Stony Road.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS	ADDRESS
Tom Olszewski	632 Pleasant View Drive, Lancaster
Martha Thurer	362 Stony Road, Lancaster
Roy Schneggenburger	87 Stony Road, Lancaster
Joseph Juszcak	600 Pleasant View Drive, Lancaster
Gene Karpowicz	177 Stony Road, Lancaster
Anne Di Natale	99 Stony Road, Lancaster
Joyce Farrell	467 Pleasant View Drive, Lancaster
Rick Farrell	467 Pleasant View Drive, Lancaster
Gary Louth	375 Stony Road, Lancaster
Mary Jane Gangloff	527 Pleasant View Drive, Lancaster

PUBLIC HEARING SCHEDULED FOR 8:00 P.M. CONT'D.:

## OPPONENTS

## ADDRESS

Thomas Fowler, Police Chief, Town of Lancaster  
(Opposed only to speed reduction proposed  
for the east end terminus area of Pleasant  
View Drive.)

## COMMENTS &amp; QUESTIONS

## ADDRESS

None

ON MOTION BY COUNCIL MEMBER POKORSKI, AND SECONDED BY COUNCIL MEMBER  
THOMAS H. VAN NORTWICK AND CARRIED, by unanimous voice vote, the Public  
Hearing was closed at 8:40 P.M.

The Town Board, later in the meeting, adopted a resolution,  
hereinafter spread at length in these minutes, taking favorable action upon  
this matter.

PUBLIC HEARING SCHEDULED FOR 8:05 P.M.:

At 8:40 P.M., the Town Board held a Public Hearing to hear all  
interested persons upon the proposed rezone petition of Timon Electrical  
Construction, Inc., the contract vendee for a parcel of land situate on the  
south side of William Street, east of Transit Road, in the Town of Lancaster,  
for a rezone of said property from a R1, Residential District One, to a MFR-3,  
Multi-family District Three.

Affidavits of Publication and Posting of a Notice of a Public  
Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed to the  
Petitioner, the Architect for the Petitioner, the Erie County Division of  
Planning, the property owners of record within 200 feet of the proposed rezone  
site, and the Eastwood Association notifying them of the time and place of  
this Public Hearing.

The Town Clerk presented a letter from the Town of Lancaster  
Planning Board to the Town Board recommending approval of the proposed rezone.

## PROPOSERS

## ADDRESS

Frank Tripi, Architect for the petitioner

## OPPONENTS

## ADDRESS

Hank Polanowski

4793 William Street, Lancaster



PUBLIC HEARING SCHEDULED FOR 8:05 P.M.:

COMMENTS & QUESTIONS	ADDRESS
John Gambon Electra Klager	66 Eastwood Pkwy, Lancaster 62 Eastwood Pkwy, Lancaster

ON MOTION BY COUNCIL MEMBER GIZA, AND SECONDED BY COUNCIL MEMBER KWAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:00 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

PUBLIC HEARING SCHEDULED FOR 8:10 P.M.:

At 9:00 P.M., the Town Board held a Public Hearing for the purpose of taking public comments and/or questions with respect to a renewal of Jones Intercable's Franchise Agreement with the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

**COMMENTS:**

Irene Skretny, 15 Woodgate Drive, Lancaster

Moved to Lancaster from an area served by Adelphia Cable. She feels that other cable companies provide more stations at less cost.

John Mundie, Representing the Communications Workers Of America

Asked that union concerns be addressed in the contract.

David Dale, 5121 William Street, Lancaster

Felt that the Town could do better than Jones Cable, getting more channels for less money.

Gloria Kubicki, 15 Maple Drive, Bowmansville

Asked that free cable be granted to senior citizens.

Ethan Peters, 222 Warner Road, Lancaster

Felt that other cable companies provide much more for their customers.

Mark Alford, General Manager of Jones Intercable

Indicated that the company is upgrading but gave no specifics.

ON MOTION BY COUNCIL MEMBER VAN NORTWICK, AND SECONDED BY COUNCIL MEMBER POKORSKI AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:25 P.M.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER GIZA, TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town  
Board held on September 18, 1995 be and hereby are approved.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

October 2, 1995

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GRECO, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER POKORSKI, TO WIT:

WHEREAS, the Town Board, by resolution dated July 5, 1994 appointed LEONARD R. CAMPISANO to the position of Assistant Building Inspector in the service of the Building Department of the Town of Lancaster on a provisional basis pending successful passing of a civil service examination, and

WHEREAS, the Personnel Office of the County of Erie has informed the Supervisor of the Town of Lancaster that LEONARD R. CAMPISANO has successfully passed a civil service examination for this position, and

WHEREAS, it is the desire of the sponsor of this resolution to appoint LEONARD R. CAMPISANO to the permanent civil service position of Assistant Building Inspector in the service of the Building Department of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that LEONARD R. CAMPISANO, 29 Allen Street, Lancaster, New York 14086, be and is hereby appointed to the permanent civil service position of Assistant Building Inspector of the Town of Lancaster retroactive to September 14, 1995, and

BE IT FURTHER

RESOLVED, that the 1995 salary for LEONARD R. CAMPISANO be and is hereby set at ~~\$28,168.50~~ <sup>25,725.00 (rel)</sup>, said amount being that amount as set forth in the 1995 schedule of salaries adopted by the Town Board on January 3, 1995.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

October 2, 1995

File: RPERS.CIV

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER VAN NORTWICK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER POKORSKI , TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated September 13, 1995, has requested the addition of the following members to the membership roster of said fire association,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the additions to the membership of the Town Line Volunteer Fire Department, Inc. of the following individuals:

ADDITIONS

Michael Schneller  
25 Simme Road  
Lancaster, New York 14086

Mark Passucci  
199 Cemetery Road  
Lancaster, New York 14086

Joseph S. Heary  
11241 Broadway  
Alden, New York 14004

Louis F. Chilelli  
26 Grafton Court  
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED	YES
COUNCIL MEMBER KWAK	VOTED	YES
COUNCIL MEMBER POKORSKI	VOTED	YES
COUNCIL MEMBER VAN NORTWICK	VOTED	YES
SUPERVISOR GRECO	VOTED	YES

October 2, 1995

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCIL MEMBER VAN NORTWICK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL MEMBER  
KWAK , TO WIT:

WHEREAS, the Chairman of the Public Safety Committee has recommended that turning arrows be installed at the intersection of Aurora Street and William Street, and that a traffic study be conducted for the purpose of installation of a traffic signal at the intersection of Lake Avenue and William Street in the Town of Lancaster, and

WHEREAS, the Town Board has reviewed the recommendations and deem it in the public's interest and safety to request such devices, and

WHEREAS, Aurora Street, William Street and Lake Avenue north of William Street are County Highways, and Lake Avenue south of William Street is a Town roadway and it is necessary for the Town of Lancaster to request the Erie County Department of Public Works and the Lancaster Town Police Department to conduct a joint study of the beforementioned intersections;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby directs the Town Attorney to submit a written request for a joint study of the intersection of Aurora Street and William Street for turning arrows and a joint study of the intersection of Lake Avenue and William Street for the installation of a traffic signal, to the Erie County Department of Public Works and the Town of Lancaster Police Department.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

October 2, 1995  
File:RTRFCSTY.095

PREFILED RESOLUTION NO. 5 - MEETING OF 10/02/95

Giza/\_\_\_\_\_

Authorize Agreement Lancaster Mall Inc For Lease  
Agreement At 11 West Main Street

At the request of Council Member Giza, this resolution was withdrawn  
for further study.

File: RWTHDRAN

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GRECO, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER VAN NORTWICK, TO WIT:

WHEREAS, the Supervisor has requested a transfer of funds within the General Repairs Department of the Part Town Highway fund necessary to cover expenditures anticipated through the year ending 12/31/95.

NOW, THEREFORE, BE IT

RESOLVED, that the following transfer within the 1995 Adopted Part Town Highway Budget of the Town of Lancaster be and is hereby approved:

<u>FUND APPROPRIATION</u>	<u>Increase</u>	<u>Decrease</u>
13.5110.433 Resurfacing Materials	2,393.15	
13.5110.225 Miscellaneous Equipment		893.15
13.5110.409 Rentals		1,500.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

October 2, 1995

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER KWAK , TO WIT:

WHEREAS, it is the intention of the Town Board of the Town of Lancaster to sponsor a Youth Initiative-Social Work Counselor Program within the geographic area of the Town of Lancaster for the period of January 1, 1996 through December 31, 1996, and

WHEREAS, the Town Board has authorized such joint program for the period commencing July 1, 1995 and ending June 30, 1996, with the Lancaster Central School District, and

WHEREAS, it is in the public interest that the Town of Lancaster see to the continuation of this worthwhile program inasmuch as the other participant in the program, the Lancaster Central School District, has so indicated its intention to continue the program beyond the current fiscal year, and

WHEREAS, a proposed budget for the Youth Initiative-Social Work Counselor Program has been submitted for the period January 1, 1996 through December 31, 1996, in the sum of \$28,263.00, subject to approval by the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, That the renewal application to the New York State Division for Youth is in all respects approved and that Lucian J. Greco, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Division for Youth, Albany, New York, for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

October 2, 1995

File: RSTATE.YTH (P2)



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER KWAK , TO WIT:

WHEREAS, it is the intention of the Town Board of the Town of Lancaster to sponsor a Youth Bureau Program within the geographic area of the Town of Lancaster for the period of January 1, 1996 through December 31, 1996, and

WHEREAS, the Town of Lancaster is about to submit a renewal application for state aid for the operation of such Youth Bureau Program to the New York State Division for Youth, Albany, New York, for partial reimbursement of funds to be expended on said program, and

WHEREAS, a proposed budget for the Youth Bureau Program has been submitted for the period January 1, 1996 through December 31, 1996, in the sum of \$97,302.00, subject to approval by the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that submitting a renewal application to the New York State Division for Youth is in all respects approved and that Lucian J. Greco, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Division for Youth, Albany, New York, for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

October 2, 1995

File: RSTATE.YTH (P3)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GIZA WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER KWAK , TO WIT:

WHEREAS, it is the intention of the Town Board of the Town of Lancaster to sponsor a Youth Service Program within the geographic area of the Town of Lancaster for the period of January 1, 1996 through December 31, 1996, and

WHEREAS, the Town of Lancaster is about to submit a renewal application for state aid for the operation of such Youth Service Program to the New York State Division for Youth, Albany, New York, for partial reimbursement of funds to be expended on said program, and

WHEREAS, a proposed budget for the Youth Service Program has been submitted for the period January 1, 1996 through December 31, 1996, in the sum of \$73,070.00, subject to approval by the Town Board,

NOW, THEREFORE, BE IT

RESOLVED:

That submitting a renewal application to the New York State Division for Youth is in all respects approved and that Lucian J. Greco, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Division for Youth, Albany, New York, for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

October 2, 1995

File: RSTATE.YTH (P4)

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCIL MEMBER KWAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL MEMBER  
POKORSKI, TO WIT:

WHEREAS, TIM DAVIS, 87 Lake Avenue, Lancaster, New York 14086, the contract vendee of a parcel of land located on the north side of Genesee Street, east of Ransom Road and locally known as 6432 Genesee Street in the Town of Lancaster, New York, has petitioned the Town Board of the Town of Lancaster for the rezone of said property from an SGA - Sand, Gravel and Aggregates District, to an AR - Agricultural Residential District, and

WHEREAS, the petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 16th day of October, 1995, at 8:05 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town; and the Lancaster Community News and Depew Community News, and be posted on the Town Bulletin Board, and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

October 2, 1995

File:RREZHL.095

LEGAL NOTICE  
PUBLIC HEARING  
BUFFALO TOURNAMENT CLUB  
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 2nd day of October, 1995, the said Town Board will hold a Public Hearing on the 16th day of October, 1995, at 8:05 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property, from an SGA - Sand, Gravel and Aggregates District to an AR - Agricultural Residential District:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York being part of Lots 2, 4 and 6, Section 3, Township 11, Range 6 of the Holland Land Company's Survey and more particularly described as follows:

BEGINNING at the northeast corner of Lot 2, Section 3, Township 11, Range 6 said corner also being the northeast corner of the Town of Lancaster;

THENCE southerly along the east line of the Town of Lancaster a distance of approximately Twenty-seven Hundred Six (2706.0) feet to a point in the centerline of Genesee Street (66' wide);

THENCE southwesterly along the centerline of Genesee Street a distance of Thirteen Hundred Forty-four and 72/100 (1344.72) feet to a point in the east line of Lot 4, Section 3, Township 11, Range 6;

THENCE continuing southwesterly along the centerline of Genesee Street a distance of Eighteen Hundred Forty-six (1846.0) feet to a point;

THENCE northerly and parallel with the east line of Lot 6 a distance of Twelve Hundred Forty-six and 74/100 (1246.74) feet to a point;

THENCE easterly and parallel with the north line of Lot 6 a distance of Five Hundred Twenty-eight (528.0) feet to a point in the east line of Lot 6 which is also the west line of Lot 4;

THENCE northerly along the west line of Lot 4 a distance of Seventeen Hundred Two and 47/100 (1702.47) feet to a point in the north line of the Town of Lancaster, said point also being the northwest corner of Lot 4, Section 3, Township 11, Range 6;

THENCE easterly along the north line of Lot 4 and Lot 2 also being the north line of the Town of Lancaster a distance of Twenty-six Hundred Sixty-one and 78/100 (2661.78) feet to the point or place of beginning.

Containing 187.56 acres more or less.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

By: ROBERT P. THILL  
Town Clerk

October 2, 1995

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER POKORSKI, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, a Public Hearing was held on the 2nd day of October, 1995,  
for the purpose of amending Chapter 46-Vehicle and Traffic Ordinance of the  
Code of the Town of Lancaster, and persons for and against such amendment have  
had an opportunity to be heard, and

WHEREAS, a Notice of said Public Hearing was duly published and  
posted;

NOW, THEREFORE, BE IT  
RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of  
the Town of Lancaster be amended in the form attached hereto and made a part  
hereof;
2. That said amendment be added in the minutes of the meeting of  
the Town Board of the Town of Lancaster held on the 2nd day of October, 1995;
3. That a Certified copy thereof be published in the Lancaster Bee  
on October 5, 1995;
4. That a certified copy of the amendment be posted on the Town  
Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the  
Town Clerk;
6. That the Highway Superintendent take whatever action is  
necessary to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

October 2, 1995

LEGAL NOTICE  
NOTICE OF ADOPTION  
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE  
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK  
DESIGNATED AS CHAPTER 46 OF CODE OF TOWN OF LANCASTER

The Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

ARTICLE IX - Maximum speed limits.

46-9, Maximum speed limits, is hereby amended as follows:

"46.9

.....

- C. "A speed limit of forty-five (45) miles per hour shall be posted on the following designated highways shall be amended by deleting therefrom, the following:

.....

- (8) Pleasant View Drive for eastbound and westbound traffic east from House No. 444 Pleasant View Drive to terminus of Pleasant View Drive at Pavement Road.

- D. "A speed limit of thirty-five (35) miles per hour shall be posted on the following designated highways", shall be amended as follows:

.....

- (4) Shall be deleted in its entirety and a new D. (4) added in place thereof, which shall read as follows:

D. ....

- "(4) Pleasant View Drive, for eastbound and westbound traffic east from Transit Road to terminus of Pleasant View Drive at Pavement Road."

- (5) Shall be deleted in its entirety and a new D. (5) added in place thereof, which shall read as follows:

"(5) Stony Road for northbound and southbound traffic south from Genesee Street to terminus of Stony Road at Walden Avenue."

October 2, 1995

STATE OF NEW YORK:  
COUNTY OF ERIE : ss:  
TOWN OF LANCASTER:

THIS IS TO CERTIFY that I, ROBERT P. THILL, Town Clerk of the Town of Lancaster, in said County of Erie, have compared the foregoing Ordinance Amendment with the original thereof filed in my office at Lancaster, New York, on the 2nd day of October, 1995, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said town this 2nd day of October, 1995.

Robert P. Thill  
Robert P. Thill, Town Clerk

PREFILED RESOLUTION NO. 12 - MEETING OF 10/02/95

Greco/\_\_\_\_\_

Set Public Hearing Re: Review 1996 Preliminary  
Budget

At the request of Supervisor Greco, this resolution was withdrawn  
for further study.

File: RWTHDRWN



THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GRECO, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
VAN NORTWICK , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby  
ordered paid from their respective accounts:

Claim No. 4370 to Claim No. 4560 Inclusive

Total amount hereby authorized to be paid: **\$525,778.41**

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

October 2, 1995

File: RCLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER POKORSKI , TO WIT:

WHEREAS, it is the intention of the Town Board of the Town of Lancaster to sponsor a Youth Recreation Program within the geographic area of the Town of Lancaster for the period of January 1, 1996 through December 31, 1996, and

WHEREAS, the Town of Lancaster is about to submit a renewal application for state aid for the operation of such Youth Recreation Program to the New York State Division for Youth, Albany, New York, for partial reimbursement of funds to be expended on said program, and

WHEREAS, a proposed budget for the Youth Recreation Program has been submitted for the period January 1, 1996 through December 31, 1996, in the sum of \$526,642.00, subject to approval by the Town Board,

NOW, THEREFORE, BE IT

RESOLVED:

That submitting a renewal application to the New York State Division for Youth is in all respects approved and that Lucian J. Greco, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Division for Youth, Albany, New York, for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

October 2, 1995

File: RSTATE.YTH (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GRECO, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
VAN NORTWICK, TO WIT:

WHEREAS, the Town Board, on behalf of all the Special Districts and Special Improvement Districts, upon which the cost of maintenance is required by law to be apportioned and assessed in proportion to the amount of the benefits conferred, has duly prepared detailed estimates in writing of the anticipated revenues and expenditures for such districts to determine the amount of money required to meet the expense of maintaining same, and

WHEREAS, the Town Board has assessed the amount of said estimates on several lots against which the expense of the Improvement was charged in proportion to the amount of benefit conferred, and

WHEREAS, Assessment Rolls were duly prepared according to law and said assessment rolls were duly filed in the Office of the Town Clerk,

NOW, THEREFORE, BE IT  
RESOLVED, as follows:

1. That a Public Hearing is hereby called and shall be held on the 16th day of October 1995, at 8:20 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, at which time and place this Town Board will meet to consider the aforementioned Special Districts Budget for the Year 1996, and to hear all persons interested in the subject matter thereof, and concerning the same, and

2. That a Legal Notice of said Public Hearing be published in the Lancaster Bee on October 5, 1995, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

October 2, 1995

File: RBUDGETS (P4)

**LEGAL NOTICE**  
**TOWN OF LANCASTER**  
**NOTICE OF PUBLIC HEARING**  
**UPON THE 1996 SPECIAL DISTRICTS BUDGET**

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lancaster, New York, has completed its estimates and assessment roll relating to Special Districts, spreading costs on a benefit basis, and has filed same with the Town Clerk for the following districts for the year 1996:

Water Supply District Number 1

Water Supply District Extension Numbers 2 and 3 to Water District Number 4

Lancaster Master Water District

Consolidated Water District

Sanitary Sewer District Number 1 - Glendale and Parkdale

Sanitary Sewer District Number 2

Sanitary Sewer District Number 4

Sanitary Sewer District Number 6 - Ward Road

Sanitary Sewer District Number 7 - Walden Avenue and Enterprise Drive

Sanitary Sewer District Number 8 - Fox Valley

Sanitary Sewer District Extension Numbers 1, 2, 3 and 4 to Sanitary Sewer District Number 2

Sanitary Sewer Lateral Districts Numbers 1 and 2, and Meadow Lea Estates, Lancaster Heights, Markey Avenue, South Broezel, Ronald Drive-Charlton Place and Botimer Place, within Sanitary Sewer District Number 2

Consolidated Lighting District Number 1

Fire Protection District

Refuse and Garbage District

FURTHER NOTICE IS GIVEN, that a Public Hearing on such estimates and Assessment Roll will be held on October 16, 1995, at 8:20 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, at which time and place the Town Board will meet to hear and consider any persons interested in the subject matter thereof.

BY ORDER OF THE:

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: ROBERT P. THILL,

Town Clerk

October 2, 1995

File: RBUDGETS (P5)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GIZA, WHO MOVED  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER VAN NORTWICK ,TO WIT:

WHEREAS, the Director of Finance of the Town of Lancaster, by memorandum dated September 29, 1995 has requested permission for herself and the Assistant to the Supervisor to attend the GFOA Seminar entitled "Investing Public Funds" in Syracuse, New York from October 5th through October 6th, 1995,

NOW, THEREFORE, BE IT

RESOLVED, that MARY KAY MYERS, Director of Finance, and LOIS PALANO, Assistant to the Supervisor of the Town of Lancaster, be and are hereby authorized to attend the GFOA Seminar entitled "Investing Public Funds" in Syracuse, New York from October 5th through October 6th, 1995, and

BE IT FURTHER

RESOLVED, that expense reimbursement be and is hereby authorized in an amount not to exceed \$350.00 each, plus mileage, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

October 2, 1995

File: RSEM.MIGS (P4)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER VAN NORTWICK, TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster has requested an amendment to the 1995 General Fund Budget to cover the cost of final purchases of Uniforms and equipment for the newly formed Redskins Junior Football & Cheerleading Program within the Parks, Recreation and Forestry Dept. Funds to purchase this equipment is requested from the Trust & Agency Recreation Filing Fees.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget amendment to the 1995 Adopted Budget of the Town of Lancaster be and is hereby approved:

AMENDMENTS:

	<u>INCREASE</u>
A2190      Transfer from Trust & Agency Recreation Filing Fees	\$22,115.55
A7140.0250 Recreation Equipment	\$22,155.55

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

October 2, 1995

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY COUNCIL MEMBER KWAK, WHO MOVED  
 ITS ADOPTION, SECONDED BY COUNCIL  
 MEMBER POKORSKI TO WIT:

RESOLVED, that the following Building Permit Applications be  
 and are hereby approved and the issuance of these Building Permits be and are  
 hereby authorized:

## CODE:

(SW) = Sidewalks as required by Chapter 12-1B of the Code of the  
 Town of Lancaster are waived for this permit.

No	Code	Applicant	Street Address	Structure
2953		Marrano/Marc Equity	130 Belmont St	Er. Sin. Dwlg
2954		Marrano/Marc Equity	22 Whitestone Ln	Er. Sin. Dwlg
2955		Daniel A Harry	9 Woodgate Dr	Er. Shed
2956		Mr Bordonaro	29 Bentley Cir	Er. Shed
2957		Marks Auto Parts	6707 Transit Rd	Dem. Shed
2958		Donald Ryberg II	75 Westwood Rd	Er. Shed
2959		Gerri Mc Crudden	5520 William St	Er. Fence
2960		Kulback's Const Inc	4111 Walden Ave	Er. Office. Bldg
2961		M/M Tom Shedler	15 Lucia Ct	Er. Enclosed Porch
2962		Ronald Rickettson	614 Hall Rd	Er. Shed
2963		Stanley Krawczyk	125 Iroquois Ave	Ext. Sin. Dwlg
2964		Thomas Palumbo	9 Brunck Rd	Ext. Garage
2965		John Burczynski	6484 Broadway	Er. Porch
2966		Anthony M Fazzino	54 Impala Pkwy	Er. Car Port
2967 (SW)		Frank & Leo Piotrowski Bldrs	5733 Genesee St	Er. Sin. Dwlg
2968		Susan L Heater	417 Schwartz Rd	Er. Fence
2969		Majestic Pools Inc	89 Michael's Wlk	Er. Pool
2970		Thomas Manko	20 Country Pl	Rem. Sin. Dwlg
2971		J Nicholas Mueller	5645 Genesee St	Er. Garage
2972		Decks Unlimited	33 Hemlock Ln	Er. Deck
2973		Charlet Zubek	131 Broezel Ave	Er. Fence
2974		Susan Gawrys	11 Whitestone Ln	Er. Shed
2975		David/Susan Marrano	26 Hillside Pkwy	Er. Pool
2976		Nigel Enterprises Inc	18 Michael's Wlk	Er. Sin. Dwlg
2977		Stephen Ruminski	14 Rue Madeleine Wa	Er. Shed
2978		M J Ogiony	33 Signal Dr	Er. Sin. Dwlg
2979		M J Ogiony	86 Michael's Wlk	Er. Sin. Dwlg
2980		Quality Quick Signs	6615 Transit Rd	Er. Sign

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2981	Dicom Const	4723 Transit Rd	Er. Garage
2982	Town Line Fire Dept	351 Pavement Rd	Burn Sin. Dwlg
2983	James J Zuzze	4 Hill Valley Dr	Er. Deck
2984	Selective Home Design Groupe	6 Dorchester Ct	ER. Sin. Dwlg
2985	Fischione Const Co Inc	8 Stream View Ln	Er. Sin. Dwlg
2986 (SW)	Donato Developers	758 Ransom Rd	Er. Sin. Dwlg
2987	Donato Developers Inc	35 Michael's Wlk	Er. Sin. Dwlg
2988	Moeller Bldrs	11 Broadmoor Ct	Er. Sin. Dwlg
2989	Ken Mikler	18 Running Brk Dr	Er. Shed
2990 (SW)	Shawn Zima	22 William Kidder	Er. Sin. Dwlg
2991	Norman Eddy	48 Pleasant View Dr	Er. Carport
2992	Marrano/Marc Equity	68 Old Post Rd	Er. Sin. Dwlg
2993	Another Custom Home by Walter	41 Michael's Wlk	Er. Sin. Dwlg
2994	Marrano/Marc Equity	58 Stony Brook Dr	Er. Sin. Dwlg
2995	Marrano/Marc Equity	7 Forestream Dr	Er. Sin. Dwlg
2996	Marrano/Marc Equity Homes	77 Old Post Rd	Er. Sin. Dwlg
2997	Marrano/Marc Equity	18 Riemers Ave	Er. Sin. Dwlg
2998	Robert Wiseman	10 Nichter Rd	Dem., Er. Shed
2999	Kevin VonVreckin	8 Arrow Trail	Er. Patio Cover

and,

#### BE IT FURTHER

RESOLVED, that the Building Permit applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the provisions of Chapter 12-1B of the Code of the Town of Lancaster which requires sidewalks in front of every new home.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

October 2, 1995



THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GRECO, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER VAN NORTWICK, TO WIT:

WHEREAS, TOPS MARKETS INC., has submitted a Site Plan dated July 25, 1995 for the construction of a distribution center facility on property located on the s.side of Genesee Street at Gunnville Road in the Town of Lancaster, New York, and

WHEREAS, the Planning Board has reviewed the site plan, and by memo dated September 28, 1995, has unanimously recommended approval, and

WHEREAS, the Town Board hereby accepts and adopts the recommendation of the Planning Board dated September 28, 1995, and

WHEREAS, the Town Board finds that:

1. The proposed site plan is consistent with the intent, objective and specific requirements of the Zoning Ordinance.

2. Adequate services and utilities are or will be available prior to occupancy;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby approves the site plan prepared by Nussbaumer & Clarke, Inc., dated July 25, 1995, and submitted on behalf of Tops Markets, Inc.

2. That said approval shall be subject to the following conditions:

- a) Berms as shown on the Site Plan shall be a minimum of five (5) feet, and berm on east side shall have more diversity in plantings to shield parking area. Screening must be maintained including balance of berm.

- b) Height of light standards to be re-addressed by qualified lighting engineer with special emphasis around perimeter. Lighting issues to be continually discussed as the development progresses to the end that inconvenience and annoyance to neighboring residents is minimized.
- c) Tops agrees to establish an operations and maintenance plan and agrees to monitor, maintain and adjust the storm water management facilities as required to continue existing water-quality and water-quantity conditions.
- d) Before a building permit for construction of the warehouse building is granted, Tops Markets Inc. must apply for and be granted a Special Use Permit allowing the height of said building to exceed 30 feet.
- e) Building to have a gray/sandstone exterior.
- f) Developer to submit a letter acknowledging no designated area on Site Plan for lumpers.

3. That the Town Board reaffirms, adopts and ratifies the Findings Statement which it approved on September 18, 1995, with regard to the rezoning of this property.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

October 2, 1995

File: RSTPLTPSA.095.

Council Member VanNortwick requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER VAN NORTWICK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER POKORSKI , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER",

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on a proposed amendment to the Vehicle & Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 16th day of October, 1995, at 8:45 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published on or before October 5, 1995, in the Lancaster Bee, the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

October 2, 1995

LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 2nd day of October, 1995, the said Town Board will hold a Public Hearing on the 16th day of October, 1995, at 8:45 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 46 of the Code of said Town:

ARTICLE IX - Maximum speed limits.

46-9, Maximum speed limits, is hereby amended as follows:

"46.9

.....

C. "A speed limit of forty-five (45) miles per hour shall be posted on the following designated highways shall be amended by adding thereto the following:

.....

(14) Ransom Road for northbound and southbound traffic, south from Genesee Street to Walden Avenue.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: ROBERT P. THILL  
Town Clerk

October 2, 1995

Supervisor Greco requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY  
SUPERVISOR GRECO, WHO MOVED ITS ADOPTION,  
SECONDED BY COUNCIL MEMBER POKORSKI ,  
TO WIT:

WHEREAS, TOPS MARKETS, INC., 6363 Main Street, Williamsville, New York 14221, the owner of real property situate on the south side of Genesee Street at Gunnvile Road, in the Town of Lancaster, has submitted an application for a Special Use Permit for the building height of a distribution center to be constructed on premises locally known as 5873 Genesee Street in the said Town, pursuant to provisions of Chapter 50-Zoning of the Code of the Town of Lancaster;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 50-Zoning, Section 24 (C)(6), entitled "Height of Structure", of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for the building height of a distribution center to be constructed on premises locally known as 5873 Genesee Street in the Town of Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 16th day of October, 1995, at 8:30 o'clock P.M., Local Time, and that notice of the time and place of such hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

October 2, 1995

LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 50-Zoning, Section 24 (C)(6), "Height of Structure" of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 2nd day of October, 1995, the said Town Board will hold a Public Hearing on the 16th day of October, 1995, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application for a Special Use Permit, for the building height of a distribution center (Tops Markets, Inc.), to be constructed on premises located on the south side of Genesee Street at Gunnville Road and locally known as 5873 Genesee Street, Town of Lancaster, County of Erie, State of New York.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

By: ROBERT P. THILL  
Town Clerk

October 2, 1995

Council Member Pokorski requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCIL MEMBER POKORSKI, WHO MOVED ITS  
ITS ADOPTION, SECONDED BY COUNCIL MEMBER  
VAN NORTWICK, TO WIT:

WHEREAS, WM. SCHUTT & ASSOCIATES, P.C., has submitted a written proposal dated September 8, 1995, to provide professional engineering services for review of storm drainage design in Hunters Creek North Subdivision, William Street, Lancaster, New York, for a total cost of \$1,100.00 for said services, and

WHEREAS, the Town Board deems it in the public interest to enter into a contract with WM. SCHUTT & ASSOCIATES, P.C. on the terms outlined in the proposal dated September 8, 1995, on file in the office of the Town Clerk;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby retains WM. SCHUTT & ASSOCIATES, P.C., 5360 Genesee Street, P.O. Box 46, Bowmansville, New York 14026-0046, to provide professional engineering services for review of storm drainage design in Hunters Creek North Subdivision and said services shall not exceed the sum of \$1,100.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED	YES
COUNCIL MEMBER KWAK	VOTED	YES
COUNCIL MEMBER POKORSKI	VOTED	YES
COUNCIL MEMBER VAN NORTWICK	VOTED	YES
SUPERVISOR GRECO	VOTED	YES

October 2, 1995

File: RHCNS.095

COMMUNICATIONSDISPOSITION

638. Youth Bureau to Various Officials - Results of inquiry to municipalities in Erie County re: Code of Ethics Disclosure Statement.	R & F
639. Town Line V.F.D. to Town Board - Notice of addition of members to roster.	R & F
640. Mary Ann Frank to Town Board - Expression of dismay over approval of Tops Markets rezoning petition.	PLANNING COMMITTEE
641. NYSDEC to Timothy Davis - Notification that applications for SPDES and Freshwater Wetlands applications submitted re: Buffalo tournament club are incomplete and must be addressed.	PLANNING COMMITTEE
642. Assessor to Joseph Juszcak - Answer re: assessment on property located at 390 Central Ave.	TOWN ATTORNEY
643. County Dept. of Health to Town Board - Transmittal of Approval of Plans for public water water supply hydrant re: Stony Brook Townhomes.	PLANNING COMMITTEE
644. Richard Muscarella to Town Board - Support of Lovejoy Gospel Church site plan.	PLANNING COMMITTEE
645. Clough, Harbour & Associates to Town Board - Expression of thanks for opportunity to work on the Tops project.	R & F
646. Lancaster Village Clerk to Town Board - Transmittal of recommendation of Village Board re: Broadway Library drop-off area.	PUBLIC SAFETY TOWN ENGINEER
647. Town Clerk to Zoning Board Members, Building Inspector and Town Attorney - Transmittal of variance petition for meeting to be held 10/12/95.	PLANNING COMMITTEE
648. Diane Saratteri, 289 Stony Rd., to Mark Lubera, Parks and Recreation - Request mosquito control program be implemented next spring.	R & F
649. Town Clerk to Media - Notice of SEQR meeting to be held 10/2/95 re: Buffalo Tournament site plan.	R & F
650. Ecology and Environment, Inc. to Town Board - Comments re: Tops Distribution Center site plan.	R & F
651. Lancaster Village Clerk to Supervisor - Minutes from meeting held 8/28/95.	R & F
652. County Health Dept. to Town Board - Transmittal of Approval of Completed Works for public water supply improvement for Autumn Park Subdivision.	PLANNING COMMITTEE
653. Depew-Lancaster Boys & Girls Club to Town Board - Expression of appreciation for recent support.	R & F
654. Supervisor to Town Board - Transmittal of Tentative 1996 Ad Valorem Budget.	R & F
655. Dir. of Finance to Supervisor - Request permission to have herself and Lois Palano attend GFOA seminar in Syracuse from 10/5-10/6/95.	R & F



COMMUNICATIONSDISPOSITION

656. ECDEP to Town Attorney -  
Agreement that Town should act as SEQR lead  
agency re: Buffalo Tournament Club.
657. Friends of Como Park to Supervisor -  
Request permission to sell shirts at Town Hall  
on 11/11/95.

TOWN CLERK  
PLANNING COMMITTEE

TOWN ATTORNEY

PERSONS ADDRESSING TOWN BOARD:

Juszcak, Joseph, 600 Pleasant View Drive, spoke to the Town Board on the following matters:

Dumping of fill on Stony Road.  
Paying for lights at the entrance to Walden Trace Subdivision.  
Developers installing sidewalks within subdivisions.

Beilman, Jack, 19 Inwood Place, spoke to the Town Board on the following matter:

Expressed disappointment with the Town Board decision on the Tops Market rezone.

Cius, Donnetti, 495 Harris Hill Road, spoke to the Town Board on the following matters:

Truckers blocking her driveway.  
Truckers parking in a vacant lot on the northeast corner of Harris Hill Road and Genesee Street.

Casper, Bernadette, 5121 William Street, spoke to the Town Board on the following matter:

Thanked the Town Board for their interest in addressing her concerns about drainage from a new subdivision contiguous to her property.

ADJOURNMENT:

ON MOTION OF SUPERVISOR GRECO, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:10 P.M. out respect to Joanne Reina, the wife of Town Attorney Joseph Reina.

Signed Robert P. Thill  
Robert P. Thill, Town Clerk